

**REMARKS**

Applicants have amended claims 24, 35, and 46. Upon entry of this Amendment, claims 24-46 remain pending and under examination.

For the reasons presented herein, Applicants traverse the rejection set forth in the Office Action, wherein the Examiner rejected claims 24-46 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,559,862 ("Bhagat") in view of U.S. Patent No. 6,975,708 ("Scherer").

**Regarding the 35 U.S.C. § 103(a) Rejection of Claims 24-46**

Applicants respectfully request reconsideration and withdrawal of the rejection of claims 24-46 under 35 U.S.C § 103(a) as being unpatentable over Bhagat in view of Scherer.

The Office Action has not properly resolved the *Graham* factual inquiries, the proper resolution of which is the requirement for establishing a framework for an objective obviousness analysis. See M.P.E.P. § 2141(II), citing to *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), as reiterated by the U.S. Supreme Court in *KSR International Co. v. Teleflex Inc.*, 550 U.S. \_\_\_, 82 USPQ2d 1385 (2007). In particular, the Office Action has not properly determined the scope and content of the prior art, at least because the Office Action incorrectly interpreted the content of Bhagat and Scherer. Specifically, neither Bhagat nor Scherer teaches what the Office Action attributes to them.

Bhagat does not disclose or suggest at least Applicants' claimed "method for processing a calling line identity presentation supplied by a communications network to a called user following a call made by a calling user to the called user in said

communications network . . . .” (claim 24, emphasis added, with similar recitations in amended claim 35). Instead, Bhagat simply discloses a method for receiving, in a paging system, a page message from a calling user containing a call back number. See Bhagat, 2:17-21. The calling user calls the paging system and enters a PIN to identify a recipient of a page message. See Bhagat, 4:56-63. The page message information is entered by the calling user and is received by the paging system. See Bhagat, 2:17-18, and Fig. 3. The paging system may then transmit the message to a paging receiver belonging to the called user. See Bhagat, 2:21-29. The called user’s paging receiver may receive a page message and may process a phone number in the received message. See Bhagat, 2:30-42, and Fig. 5. But Bhagat does not disclose or suggest that the “call [is] made by a calling user to the called user” (claim 24, emphasis added, with similar recitations in amended claim 35).

Scherer does not cure these deficiencies of Bhagat. Scherer is also deficient in that calls are not “made by a calling user to the called user” (amended claim 24, emphasis added, with similar recitations in amended claim 35), but rather to a call processing system. See Scherer, 12:56-58. The call processing system also requires the user to input additional information to route a call. See Scherer, 12:62-13:8. Therefore, Scherer also does not teach or suggest Applicants’ claimed “method for processing a calling line identity presentation supplied by a communications network to a called user following a call made by a calling user to the called user in said communications network . . . .” (claim 24, emphasis added, with similar recitations in amended claim 35).

Moreover, the Office Action has incorrectly interpreted Bhagat and Scherer in rejecting dependent claims 27, 28, 29, 37, 38, and 39. Specifically, claims 27, 28, 37, and 38, by virtue of their dependence from independent claim 24 or 35, require that the claimed “identification code” be an identification code “associated with a long distance operator.” The Office Action admitted, however, that Bhagat does not consider identification codes associated with long distance operators. See Office Action, p. 2. Therefore, the rejection of dependent claims 27, 28, 37, and 38 is improper.

Further, regarding claims 29 and 39, Bhagat in view of Scherer does not disclose or suggest “including a billing code in said identification code.” The Examiner previously admitted that Bhagat does not teach or suggest the recitations of claims 29 and 39. See Final Office Action, October 8, 2008, p. 4. Moreover, Scherer also does not teach or suggest the recitations of claims 29 and 39. Although Scherer teaches “inserting a carrier code” (Scherer, 20:43), Scherer does not teach or suggest “including a billing code in said identification code,” (claim 29, with similar recitations in claim 39).

Thus, the Office Action has not properly determined the scope and content of the prior art. In view of the reasoning presented above, Applicants therefore submit that independent claims 24 and 35 are not obvious over Bhagat and Scherer, whether taken alone or in combination. Independent claims 24 and 35 should therefore be allowable. Dependent claims 25-34 and 36-46 should also be allowable at least by virtue of their respective dependence from base claim 24 or 35, and for additional reasons discussed above. Accordingly, Applicants request the withdrawal of the 35 U.S.C. § 103(a) rejection.

**Conclusion**

Applicants respectfully request reconsideration of the application and withdrawal of the rejection. Pending claims 24-46 are not rendered obvious by the cited references. Accordingly, Applicants request allowance of the pending claims.

The Office Action contains statements characterizing the related art and the claims. Regardless of whether any such statements are specifically identified herein, Applicants decline to automatically subscribe to any statements in the Office Action.

If there are any remaining issues or misunderstandings, Applicants request the Examiner telephone the undersigned representative to discuss them.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

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